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9 May 2006

William Prioste
Windmill Ridge Winery, Inc.
8338 W. Linne Road
Tracy, CA 95304

NOTICE OF APPLICABILITY OF RESOLUTION NO. R5-2003-0106 WINDMILL RIDGE WINERY, INC., SAN JOAQUIN COUNTY

Regional Board staff has reviewed your 20 March 2006 Report of Waste Discharge (RWD) for coverage under Resolution R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. Additional information was submitted on 28 April 2006. The RWD included a *Notice of Non-Applicability* for compliance with the storm water General Permit and an \$872 filing fee. Our review finds the RWD to be substantially complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed), adopted by the Regional Board on 11 July 2003, is a conditional waiver of waste discharge requirements for small food processors including wineries. Based on the information you have submitted, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater to be produced.

Discharge Description

William and Stephanie Prioste (Discharger) own and operate the Windmill Ridge Winery at 8350 W. Linne Road, Tracy, San Joaquin County. The winery is on 3.8 acres; the property includes a 2.5-acre vineyard to which wastewater will be applied. The Discharger estimates that approximately nine tons of grapes will be crushed annually producing approximately 1,485 gallons of wine (approximately 623 cases of wine). The Discharger estimates approximately 8,910 gallons of wastewater will be generated on an annual basis.

All activities producing wastewater will be conducted under the cover of an enclosed building equipped with drains to collect wastewater. Wastewater will be screened in floor drains, collected in a 2,000-gallon tank, and then pumped to a 350-gallon trailer mounted tank. Wastewater will be applied to the land application area using a tank mounted on a trailer. No wastewater will be applied during times of precipitation or when the soil is saturated. Activities in the winery will be curtailed or modified to prevent the application of wastewater when climatic or soil conditions do not allow application. The primary method of wastewater disposal will be the spray irrigation of 2.5-acres of vineyard.

Based on the typical volume and strength of wastewater that will be produced, the anticipated maximum hydraulic and agronomic loading rates for the proposed disposal area fall within an acceptable range. Based on calculations, the proposed 2.5-acre land application area should

California Environmental Protection Agency

have adequate hydraulic and nutrient uptake capacity to receive the total wastewater discharge from this facility and remain protective of groundwater and surface water quality.

The Discharger has identified Best Management Practices that will be implemented to minimize wastewater strength and potential odor problems, and to prevent hydraulic or nutrient overloading. Those practices include: source control, management of winery activities consistent with climatic conditions, and discing the land application area after application of wastewater. The estimated volume of wastewater used to calculate the maximum loading rates was 8,910 gallons per year. Wastewater data will be compiled and included in an annual report.

Solid waste produced by the facility will consist of grape seeds, stems, skins, and lees. It is estimated that no more than 5,680 pounds of solid waste will be generated annually. Solid waste will be spread on the vineyard. Solid waste will be tilled into the soil if needed to prevent odors. As a contingency solid waste management option, the Discharger can transport the waste to a landfill for disposal.

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the current amount of wastewater produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106 and the associated monitoring and reporting program. As described therein, an annual report that contains the information described in Items No. 2 and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Board may take enforcement action, including assessment of administrative civil liability. Based on the site conditions described in the RWD, staff estimates that Windmill Ridge Winery can crush and apply the wastewater from the equivalent of 24 tons of grapes (a maximum of 30,000 gallons/year). If the volume of wastewater exceeds 30,000 gallons per year or the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on 11 July 2008, at which time you must submit a new RWD with filing fee to renew the waiver, or cease the discharge.

If you have any questions, please contact Tim O'Brien at (916) 464-4616.

-Original Signed by-

PAMELA C. CREEDON
Executive Officer

enc: General Order No. R5-2003-0106

cc: w/o enc Mike Huggins, San Joaquin County Environmental Health Department, Stockton